

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ROBERT JOHN PRESTON,

CASE NO. C16-1106-JCC

10 Plaintiff,

ORDER

11 v.

12 RYAN BOYER, *et al.*,

13 Defendants.
14

15 The Court, having reviewed the record and the report and recommendation of United
16 States Magistrate Judge Mary Alice Theiler, hereby ORDERS that:

17 (1) The report and recommendation (Dkt. No. 152) is ADOPTED.

18 (2) Defendant Snohomish County's motion to dismiss (Dkt. No. 138) is GRANTED in
19 part and DENIED in part. Plaintiff may proceed with his negligent hiring and
20 retention claims, but his negligent supervision claim is DISMISSED with prejudice.

21 (3) Defendant Snohomish County's motion to strike allegations in Plaintiff's third
22 amended complaint (Dkt. No. 138 at 2) is DENIED.

23 (4) This matter is RE-REFERRED to Judge Theiler for further proceedings.

24 (5) The Clerk is DIRECTED to send copies of this order to the parties and to Judge
25 Theiler.

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1 DATED this 28th day of February 2019.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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